

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

FILED
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DISTRICT OF DELAWARE

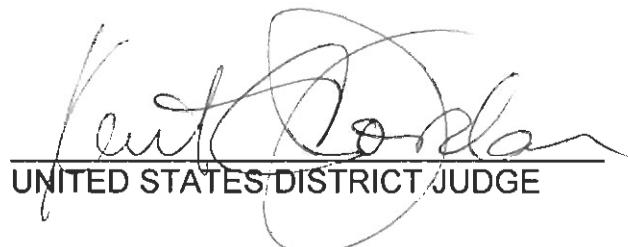
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MAYNE PHARMA (USA) INC.,)
)
Plaintiff,)
)
v.) Civil Action No. 04-1564-KAJ
)
AMERICAN PHARMACEUTICAL)
PARTNERS, INC., BIGMAR, INC., and)
BIGMAR-BIOREN PHARMACEUTICALS,)
S.A.,)
)
Defendants.)

ORDER

For the reasons set forth by the Court during the hearing today,

IT IS HEREBY ORDERED that defendant American Pharmaceutical
Partners, Inc.'s motion to dismiss (D.I. 17) is DENIED.



UNITED STATES DISTRICT JUDGE

Dated: June 30, 2005
Wilmington, Delaware